

## AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

### Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 177A.6, the Department of Agriculture and Land Stewardship hereby gives Notice of Intended Action to amend Chapter 46, "Crop Pests," Iowa Administrative Code.

The proposed amendment adds several insect pests and diseases to the listings found in rule 21—46.15(177A). The additions to the list are based on known infestations in other states and countries that pose a pest risk to Iowa because of interstate and international trade. Additionally, soybean rust is being proposed for removal from the list because the pathogen is now present in North America and may infect crops on an annual basis. Regulatory actions to safeguard against soybean rust cannot be effective.

Any interested person may make written comments on the proposed amendment on or before August 18, 2009. Comments may be sent to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa 50319; or E-mailed to [Margaret.Thomson@Iowaagriculture.gov](mailto:Margaret.Thomson@Iowaagriculture.gov).

The proposed amendment is subject to the Department's general rules on waivers under 21—Chapter 8.

This amendment is intended to implement Iowa Code section 177A.5.

The following amendment is proposed.

Amend rule 21—46.15(177A) as follows:

**21—46.15(177A) Insect pests and diseases.** To comply with Iowa Code section 177A.5, there is listed below the insect pests and diseases which the state entomologist finds should be prevented from being introduced into or disseminated within Iowa, in order to safeguard the plants and plant products likely to become infested or infected with such insect pests and diseases.

#### Insect pests:

Asian longhorned beetle (*Anoplophora glabripennis*)

Asian gypsy moth (*Lymantria dispar dispar* (Linnaeus))

Blue alfalfa aphid (*Acyrtosiphon kondoi*)

Emerald ash borer (*Agrilus planipennis*)

European woodwasp (*Sirex noctilio*)

Gypsy (European) moth (*Lymantria dispar*)

Gypsy moth (European X Asian) (*Lymantria dispar x hybrid*)

Khapra beetle (*Trogoderma granarium*)

Rosy (pink) gypsy moth (*Lymantria mathura*)

Viburnum leaf beetle (*Pyrrhalta viburni*)

Walnut twig beetle (*Pityophthorus juglandis*)

#### Diseases:

Black stem rust of wheat (*Puccinia graminis*)

Corn late wilt or black bundle disease of corn (*Harpophora (Cephalosporium) maydis*)

Oat cyst nematode (*Bidara avenae*)

Golden nematode (*Globodera rostochiensis*)

Corn cyst nematode (*Heterodera zeae*)  
Columbia root-knot nematode (*Meloidogyne ~~chitwoodii~~ chitwoodi*)  
Mexican corn cyst (*Punctodera chalconensis*)  
Soybean rust (*Phakopsora pachyrhizi*)  
Head smut of corn (*Sphacelotheca reiliana*)  
Sudden oak death (*Phytophthora ramorum*)  
Thousand cankers disease of black walnut (*Geosmithia*, sp.)  
White potato cyst nematode (*Globodera pallida*)